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BILL NO. 20 (2012)

OFFICE OF THE MAYOR

A BILL FOR AN ORDINANCE REPEALING CHAPTER 16.20A,
MAUI COUNTY CODE, AND ESTABLISHING A NEW CHAPTER 16.20B,
MAUI COUNTY CODE, RELATING TO THE PLUMBING CODE

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Chapter 16.20A, Maui County Code, is repealed
its entirety.

SECTION 2. The "Uniform Plumbing Code, 2006 Edition", as
copyrighted and published in 2006 by the International Association
of Plumbing and Mechanical Officials, 5001 E. Philadelphia Street,
Ontario, California 91761-2816, is hereby incorporated herein by
reference and made a part hereof and adopted, subject to the
provisions of Chapter 16.20B, Maui County Code, as hereinafter
enacted and as hereafter may be amended.

SECTION 3. Title 16, Maui County Code, is amended by adding
a new chapter to be appropriately designated and to read as
follows:

"Chapter 16.20B

PLUMBING CODE

Sections:

16.20B.100	The Uniform Plumbing Code incorporated.
16.20B.101.1	Section 101.1 amended.
16.20B.101.2	Section 101.2 amended.
16.20B.101.3	Section 101.3 amended.
16.20B.101.4.1	Section 101.4 amended.
16.20B.102.1	Section 102.1 amended.
16.20B.102.2.2	Subsection 102.2.2 amended.
16.20B.102.3	Section 102.3 amended.
16.20B.102.4	Section 102.4 added.
16.20B.102.5	Section 102.5 added.

Env Mgmt	
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16.20B.103.1	Section 103.1 amended.
16.20B.103.2	Section 103.2 amended.
16.20B.103.3	Section 103.3 amended.
16.20B.103.4	Section 103.4 amended.
16.20B.103.5	Section 103.5 amended.
16.20B.204.0	Section 204.0 amended.
16.20B.206.0	Section 206.0 amended.
16.20B.207.0	Section 207.0 amended.
16.20B.210.0	Section 210.0 amended.
16.20B.212.0	Section 212.0 amended.
16.20B.215.0	Section 215.0 amended.
16.20B.216.0	Section 216.0 amended.
16.20B.218.0	Section 218.0 amended.
16.20B.221.0	Section 221.0 amended.
16.20B.225.0	Section 225.0 amended.
16.20B.301.3	Section 301.3 amended.
16.20B.314.8	Section 314.8 added.
16.20B.412.0	Section 412.0 amended.
16.20B.419.0	Table 4-1 deleted.
16.20B.715.1	Section 715.1 amended.
16.20B.911.0	Section 911.0 added.
16.20B.1101.5	Section 1101.5 deleted.
16.20B.1101.6	Section 1101.6 deleted.
16.20B.1101.7	Section 1101.7 deleted.
16.20B.1101.8	Section 1101.8 deleted.
16.20B.1101.9	Section 1101.9 deleted.
16.20B.1101.10	Section 1101.10 deleted.
16.20B.1101.11.1	Subsection 1101.11.1 amended.
16.20B.1101.13	Section 1101.13 deleted.
16.20B.1102.0	Section 1102.0 deleted.
16.20B.1103.0	Section 1103.0 deleted.
16.20B.1104.0	Section 1104.0 deleted.
16.20B.1105.1	Section 1105.1 amended.
16.20B.1106.0	Section 1106.0 deleted.
16.20B.1107.0	Section 1107.0 deleted.
16.20B.1108.0	Section 1108.0 deleted.
16.20B.1109.2.2	Subsection 1109.2.2 amended.
16.20B.1110.0	Table 11-1 deleted.
16.20B.1110.1	Table 11-2 deleted.
16.20B.1110.2	Table 11-3 deleted.
16.20B.1211.1.6	Subsection 12.1.6 amended.
16.20B.1301.0	Chapter 13 deleted.
16.20B.1603.0	Section 1603.0 amended.
16.20B.1604.0(A)	Subsection 1604.0(A) amended.
16.20B.1607.0	Section 1607.0 amended.
16.20B.1608.0	Section 1608.0 amended.
16.20B.1611.0	Section 1611.0 amended.
16.20B.1612.0(A)	Subsection 1612.0(A) amended.
16.20B.1612.5	Table 16-1 amended.
16.20B.1612.7	Table 16-3 added.
16.20B.1614.0	Section 1614.0 amended.

16.20B.1701	Rules.
16.20B.1702	Appeals.
16.20B.1703	Appendix A deleted.
16.20B.1704	Appendix B deleted.
16.20B.1705	Appendix D deleted.
16.20B.1706	Appendix E deleted.
16.20B.1707	Appendix F deleted.
16.20B.1708	Appendix I deleted.
16.20B.1709	Appendix K deleted.
16.20B.1710	Appendix L deleted.

16.20B.100 The Uniform Plumbing Code incorporated.

The "Uniform Plumbing Code, 2006 Edition", as copyrighted and published in 2006 by the International Association of Plumbing and Mechanical Officials, 5001 E. Philadelphia Street, Ontario, California 91761-2816, is incorporated herein by reference and made a part hereof, subject to the amendments set forth in chapter 16.20B, Maui County Code, as hereinafter enacted and as hereinafter may be amended.

16.20B.101.1 Section 101.1 amended. Section 101.1

of the Uniform Plumbing Code is amended to read as follows:

101.1 Title. This [document] chapter shall be known as the "[Uniform] Plumbing Code," [may be cited as such,] and [will be] is referred to herein as "this code."

16.20B.101.2 Section 101.2 amended. Section 101.2

of the Uniform Plumbing Code is amended to read as follows:

101.2 Purpose. [This code is an ordinance providing minimum requirements and standards] The purpose of this code is to provide for the protection of the public health, safety, and welfare[.] by establishing minimum standards for plumbing work in the County.

16.20B.101.3 Section 101.3 amended. Section 101.3

of the Uniform Plumbing Code is amended to read as follows:

101.3 [Plans Required.] Definitions generally. [The Authority Having Jurisdiction may require the submission

of plans, specifications, drawings, and such other information as the Authority Having Jurisdiction may deem necessary, prior to the commencement of, and at any time during the progress of, any work regulated by this code.

The issuance of a permit upon plans and specifications shall not prevent the Authority Having Jurisdiction from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations being carried on thereunder when in violation of this code or of any other pertinent ordinance or from revoking any certificate of approval when issued in error.] When used in this code, unless it is plainly evident from the context that a different meaning is intended, certain terms are defined in chapter 2 of the Uniform Plumbing Code.

16.20B.101.4.1 Section 101.4 amended. Section

101.4 of the Uniform Plumbing Code is amended to read as follows:

101.4.1 The provisions of this code shall apply to [the erection, installation, alteration, repair, relocation, replacement, addition to, use, or maintenance of plumbing systems within this jurisdiction.] all plumbing work in the County, except as otherwise provided in this code. This code shall not apply to the following plumbing work:

1. In factory-built housing manufactured and certified in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended, and related federal regulations. All factory-built homes installed within the County shall bear the label of certification by the manufacturer verifying that the factory-built home complies with all applicable federal construction and safety standards. However, no person shall relocate any factory-built home, structure, or trailer on any property within the scope of this code, which requires plumbing work, or cause the same to be done, without first obtaining a plumbing permit. The manufacturer's plumbing installation in the factory-built dwelling shall be acceptable to the director if the certification is provided and no changes or additions have been made to the manufacturer's plumbing installation. Any changes or additions to the factory-built dwelling plumbing installation, including but not limited to the installation of new fixtures and water and wastewater connections shall require a permit and be

subject to this code.

2. In buildings or premises for any federal or state governmental agency, provided the federal or state agency requests an exemption in writing, on a form prescribed by the director for such purpose.

3. In a right-of-way owned or maintained by any federal, state, or county governmental agency.

4. On property within the County that is designated as Hawaiian home lands, or designated by the state land use commission to be within the conservation district.

5. For plumbing delivering non-potable water not intended for human consumption or use, provided that gray, reclaimed, or recycled water shall not be deemed to be non-potable water for purposes of this exemption.

6. For temporary sprinkler systems utilizing potable water, provided that a listed atmospheric break vacuum breaker is installed between the domestic system and the sprinkler system in accordance with the manufacturer's installation instructions.

101.4.1.1 Repairs and Alterations.

101.4.1.1.1 In existing buildings or premises in which plumbing installations are to be altered, repaired, or renovated, deviations from the provisions of this code are permitted, provided such deviations are found to be necessary and are first approved by the [Authority Having Jurisdiction.] director.

101.4.1.1.2 Existing building sewers and building drains may be used in connection with new buildings or new plumbing and drainage work only when they are found on examination and test to conform in all respects to the requirements governing new work, and the [proper Authority Having Jurisdiction] director shall notify the owner to make any changes necessary to conform to this code. No building, or part thereof, shall be erected or placed over any part of a drainage system that is constructed of materials other than those approved elsewhere in this code for use under or within a building.

101.4.1.1.3 All openings into a drainage or vent system, excepting those openings to which plumbing fixtures are properly connected or which constitute vent terminals, shall be permanently plugged or capped in an approved manner, using the appropriate materials required by this code.

101.4.1.2 Maintenance. The plumbing and drainage system of [any] all premises [under the Authority Having Jurisdiction] shall be maintained in a sanitary and safe operating condition by the owner or the owner's agent.

101.4.1.3 Existing Construction. No provision of this code shall be deemed to require a change in any portion of a plumbing or drainage system or any other work regulated by this code in or on an existing building or lot when such work was installed and is maintained in accordance with law in effect prior to the effective date of this code, except when any such plumbing or drainage system or other work regulated by this code is determined by the [Authority Having Jurisdiction] director to be in fact dangerous, unsafe, insanitary, or a nuisance and a menace to life, health, or property.

101.4.1.4 Conflicts Between Codes. [When the requirements within the jurisdiction of this plumbing code conflict with the requirements of the mechanical code, this code shall prevail.] If there are two or more conflicting provisions in this code, or conflict between this code and any other ordinance, statute, or rule covering the same subject matter, the provision which provides the greater safety to life, property, or public welfare, as determined by the director, shall prevail.

16.20B.102.1 Section 102.1 amended. Section 102.1 of the Uniform Plumbing Code is amended to read as follows:

102.1 Authority Having Jurisdiction. [The Authority Having Jurisdiction shall be the Authority duly appointed to enforce this code.] The director shall administer and enforce the provisions of this code.

16.20B.102.2.2 Subsection 102.2.2 amended. Section 102.2 of the Uniform Plumbing Code is amended by amending subsection 102.2.2 to read as follows:

102.2.2 Right of Entry. [Whenever it is necessary to make an inspection to enforce the provisions of this code, or whenever the Authority Having Jurisdiction has reasonable cause to believe that there exists in any building or upon any premises any condition or violation of this code that makes the building or premises unsafe,

insanitary, dangerous, or hazardous, the Authority Having Jurisdiction may enter the building or premises at all reasonable times to inspect or to perform the duties imposed upon the Authority Having Jurisdiction by this code, provided that if such building or premises is occupied, the Authority Having Jurisdiction shall present credentials to the occupant and request entry. If such building or premises is unoccupied, the Authority Having Jurisdiction shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the Authority Having Jurisdiction has recourse to every remedy provided by law to secure entry.

When the Authority Having Jurisdiction shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner, occupant, or person having charge, care, or control of any building or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry herein by the Authority Having Jurisdiction for the purpose of inspection and examination pursuant to this code.] Upon presentation of proper credentials, the director may enter, at reasonable times, any building, structure, or premises in the County to perform any duty imposed upon the director by this code. If the owner or person having charge or control of the building or premises does not consent to such entry, the director shall not enter any premises without a warrant or order of a court authorizing such entry.

16.20B.102.3 Section 102.3 amended. Section 102.3

of the Uniform Plumbing Code is amended to read as follows:

102.3 Violations and Penalties.

102.3.1 Violations. It shall be unlawful for any person, firm, or corporation to [erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, or maintain any plumbing or permit the same to be done] perform any plumbing work, or cause the same to be done, contrary to, or in violation of this code.

102.3.2 Penalties. [Any person, firm, or corporation violating any provision of this code shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine and/or imprisonment set forth by the governing laws of the jurisdiction. Each separate day or any portion thereof,

during which any violation of this code occurs or continues, shall be deemed to constitute a separate offense.] Violations of this chapter shall be subject to section 19.530.030, Maui County Code.

102.3.3 Defective plumbing work. Whenever (1) any plumbing work is found to have been installed, altered, changed, or reconstructed contrary to this code or any other law; (2) any plumbing work is found to be in use contrary to this code or any other law; or (3) any plumbing work that complied with the laws in effect when the plumbing work was performed is found to be unsafe or dangerous to persons or property, the director shall give the owner or the person responsible for the plumbing work a written notice of the findings of the director and order the owner or other person to make corrections in accordance with the rules of the department. The director may order the water utility provider to stop the supply of water to the structure and order the owner to disconnect the structure from its water source. Thereafter, no person shall use, or supply water to, the structure before the corrections required by the director have been made.

16.20B.102.4 Section 102.4 added. Chapter 1 of the Uniform Plumbing Code is amended by adding thereto a new section 102.4 to be designated and to read as follows:

102.4 Variances. All plumbing work shall be installed in conformance with this code. If, for good cause, an applicant cannot comply with applicable requirements of this code, the owner may request a variance from provision(s) of this code from the board of variances and appeals. A variance from provision(s) of this code may be granted if the board of variances and appeals finds:

1. That the strict application, operation, or enforcement of the code provision(s) appealed from would result in practical difficulty or unnecessary hardship to the applicant;

2. That the variance would not be detrimental to the public health, safety, or welfare;

3. That the variance would not be injurious to adjoining lots and the buildings thereon; and

4. That the variance would not be contrary to the purposes of this code or the public interest.

16.20B.102.5 Section 102.5 added. Chapter 1 of the Uniform Plumbing Code is amended by adding thereto a new

section 102.5 to be designated and to read as follows:

102.5 Board of Variances and Appeals. Any person desiring to use materials or methods of construction other than as specified by this code may apply to the director for approval. Denial of an application for approval of materials or methods of construction not specified by this code may be appealed to the board of variances and appeals, as provided in chapter 19.520, Maui County Code.

16.20B.103.1 Section 103.1 amended. Section 103.1 of the Uniform Plumbing Code is amended to read as follows:

103.1 Permits.

[103.1.1 Permits Required. It shall be unlawful for any person, firm, or corporation to make any installation, alteration, repair, replacement, or remodel any plumbing system regulated by this code except as permitted in Section 103.1.2, or to cause the same to be done without first obtaining a separate plumbing permit for each separate building or structure.

103.1.2 Exempt Work. A permit shall not be required for the following:

103.1.2.1 The stopping of leaks in drains, soil, waste, or vent pipe, provided, however, that should any trap, drainpipe, soil, waste, or vent pipe become defective and it becomes necessary to remove and replace the same with new material, the same shall be considered as new work and a permit shall be procured and inspection made as provided in this code.

103.1.2.2(1) The clearing of stoppages, including the removal and reinstallation of water closets, or

(2) the repairing of leaks in pipes, valves, or fixtures, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of the code or any other laws or ordinances of this jurisdiction.

103.1.3 Licensing. Provision for licensing shall be determined by the Authority Having Jurisdiction.]

103.1.1 Permit Required. No person shall perform

any plumbing work or cause or allow the plumbing work to be performed unless a permit has been obtained from the director. A separate permit shall be obtained for each building or structure.

103.1.2 Exempt Work. A permit shall not be required for the following:

1. Plumbing work for which this code is expressly declared to be not applicable;

2. Plumbing work for any County department, provided that the director of the County department requests an exemption in writing, on a form prescribed by the director of public works for such purpose;

3. Installation, repair, or replacement of any portable pump or other portable appliance or equipment;

4. Replacement of existing plumbing fixtures, including shut-off valves, at original location(s), where no realignment or rerouting is made to existing pipes;

5. Emergency plumbing work by a person to whom a permit may be issued, provided that an application for a permit for the work shall be submitted no later than the first business day following the commencement of the work, pursuant to section 16.20B.103.2 of this code;

6. Plumbing work, excluding gas piping and gas appliances, for special events, provided that the plumbing work is performed by a licensed plumbing contractor, and the plumbing installation is immediately removed upon conclusion of the special event;

7. Plumbing systems in temporary construction office trailers used only for construction personnel. Any office trailer used as a sales office or place of business where the general public is allowed shall not be exempt, but shall be subject to this code.

Exemption from the permit requirements of this code shall not be deemed to authorize any work in violation of this code or other laws or ordinances.

103.1.3 Persons To Whom Permits May Be Issued. A permit may be issued to:

1. A contractor licensed to perform plumbing work within the scope of the contractor's specialty classification, under chapter 444, Hawaii Revised Statutes, as amended;

2. A master plumber or a journey worker plumber who is employed by the County for plumbing work relating to County projects;

3. A master plumber or a journey worker

plumber who is applying for a permit for plumbing work on a dwelling owned and occupied by the master plumber or journey worker plumber.

16.20B.103.2 Section 103.2 amended. Section 103.2

of the Uniform Plumbing Code is amended to read as follows:

103.2 Application for Permit.

[103.2.1 Application. To obtain a permit, the applicant shall first file an application therefore in writing on a form furnished by the Authority Having Jurisdiction for that purpose. Every such application shall:

103.2.1.1 Identify and describe the work to be covered by the permit for which application is made.

103.2.1.2 Describe the land upon which the proposed work is to be done by legal description, street address, or similar description that will readily identify and definitely locate the proposed building or work.

103.2.1.3 Indicate the use or occupancy for which the proposed work is intended.

103.2.1.4 Be accompanied by plans, diagrams, computations, and other data as required in Section 103.2.2.

103.2.1.5 Be signed by the permittee or the permittee's authorized agent, who may be required to submit evidence to indicate such authority.

103.2.1.6 Give such other data and information as may be required by the Authority Having Jurisdiction.

103.2.2 Plans and Specifications. Plans, engineering calculations, diagrams, and other data shall be submitted in one or more sets with each application for a permit. The Authority Having Jurisdiction may require plans, computations, and specifications to be prepared by, and the plumbing designed by, an engineer and/or architect licensed by the state to practice as such.

Exception: The Authority Having Jurisdiction may waive the submission of plans, calculations, or other data if the Authority Having Jurisdiction finds that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance within the code.

103.2.3 Information on Plans and Specifications. Plans and specifications shall be drawn to scale upon

substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature, and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules, and regulations.]

103.2.1 Application. All applications for permits shall be in writing, and in a form and content as prescribed by the director.

103.2.2 Plans and Specifications. Plans and specifications providing details of the proposed installation shall be submitted with the permit application when required by the director. The plans and specifications shall bear the stamp and signature of a mechanical engineer when the director has determined that the project is sufficiently complex to require review and approval by a licensed mechanical engineer. The mechanical engineer shall submit documentation certifying compliance with chapter 16.16A, Maui County Code. Project permit applications shall not be submitted or accepted in phases or parts.

103.2.3 Building Permit Required. Whenever a building permit is required by chapter 16.26B, Maui County Code, the director shall not process any application for a plumbing permit for the project until a valid building permit has first been issued for the project.

103.2.4 Plumbing Work Related to Emergency Reconstruction of Single-Family Dwellings and Accessory Structures. The director shall provide a modified application form for a plumbing permit for work related to emergency reconstruction of single-family dwellings and accessory structures, pursuant to section 16.26B.105.2.1, Maui County Code.

16.20B.103.3 Section 103.3 amended. Section 103.3 of the Uniform Plumbing Code is amended to read as follows:

103.3 Permit Issuance.

[103.3.1 Issuance. The application, plans, and specifications and other data filed by an applicant for a permit shall be reviewed by the Authority Having Jurisdiction. Such plans may be reviewed by other departments of this jurisdiction to verify compliance with applicable laws under their jurisdiction. If the Authority Having Jurisdiction finds that the work described in an application for permit and the plans, specifications, and other data filed therewith conform to the requirements of the code and other pertinent laws and

ordinances, and that the fees specified in Section 103.4 have been paid, the Authority Having Jurisdiction shall issue a permit therefore to the applicant.

When the Authority Having Jurisdiction issues the permit where plans are required, the Authority Having Jurisdiction shall endorse in writing or stamp the plans and specifications "APPROVED." Such approved plans and specifications shall not be changed, modified, or altered without authorization from the Authority Having Jurisdiction, and all work shall be done in accordance with approved plans.

The Authority Having Jurisdiction may issue a permit for the construction of a part of a plumbing system before the entire plans and specifications for the whole system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holder of such permit may proceed at the holder's risk without assurance that the permit for the entire building, structure, or plumbing system will be granted.

103.3.2 Retention of Plans. One set of approved plans, specifications, and computations shall be retained by the Authority Having Jurisdiction until final approval of the work covered therein. One set of approved plans and specifications shall be returned to the applicant, and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

103.3.3 Validity of Permit. The issuance of a permit or approval of plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. No permit presuming to give authority to violate or cancel the provisions of this code shall be valid.

The issuance of a permit based upon plans, specifications, or other data shall not prevent the Authority Having Jurisdiction from thereafter requiring the correction of errors in said plans, specifications, and other data or from preventing building operations being carried on thereunder when in violation of this code or of other ordinances of this jurisdiction.

103.3.4 Expiration. Every permit issued by the Authority Having Jurisdiction under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty (180) days. Before such work can be recommenced, a new

permit shall first be obtained to do so, and the fee therefore shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspensions or abandonment has not exceeded one year.

Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The Authority Having Jurisdiction may extend the time for action by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

103.3.5 Suspension or Revocation. The Authority Having Jurisdiction may, in writing, suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect information supplied or in violation of other ordinance or regulation of the jurisdiction.]

103.3.1 Issuance. Within thirty calendar days of receiving a complete and correct permit application with all necessary documents, plans, specifications, calculations, and certifications of licensed engineers, including payment of all fees, the director shall approve or deny the permit application. If the director fails to review and approve or deny the application within this time period, the application shall be deemed approved.

103.3.2 Transfer of Permits. No person to whom a permit is issued under this code shall assign or transfer the permit without the prior approval of the director. If a permittee cannot complete the plumbing installation and wishes to transfer the permit to another person described in section 16.20B.103.1.3 of this code to complete the project, the permittee shall submit a request in writing to the director requesting a permit transfer, provided the proposed installation has not changed from the original permit. Approval of a transfer request shall not be unreasonably withheld, provided that the permit is not expired, and the new transferee agrees in writing to comply with the plans and specifications upon which the original plumbing permit was issued and the applicable laws in effect at the time the permit was issued. The transferee shall submit a new permit application to the director. The transferee shall pay a fee for the transfer of the permit, as set forth in the

annual budget ordinance.

103.3.3 Validity of Permit. The issuance of a permit, or approval of plans and specifications, shall not be construed to be a permit for, or an approval of, any violation of this code or any other ordinance. No permit presuming to give authority to violate or cancel the provisions of this code shall be valid. The issuance of a permit based upon plans, specifications, or other data shall not prevent the director from thereafter requiring the correction of errors in said plans, specifications, or other data, or stopping work thereunder when in violation of this code or other ordinances.

103.3.4 Expiration. Every permit issued by the director under this code shall expire and be deemed void if the director does not approve the initial inspection required by section 16.20B.103.5 of this code within one year from the date of issuance of the permit. If a permit expires before work is completed, a new permit shall be obtained. If there are no changes to the original plans and the permit has not been expired for more than one year, the fee shall be one-half of the original permit fee, but if a permit has been expired for more than one year, the permittee shall pay a new permit fee, including any of the additional fees prescribed in section 16.20B.103.4 of this code. In no event shall a permit remain active longer than five years from the date of issuance of the permit.

103.3.5 Suspension or Revocation. The director may, in writing, suspend or revoke a permit issued under this code whenever the permit has been issued in error or on the basis of incorrect information provided by the applicant, or when the installation is determined to be in violation of this code or any other law, ordinance, or rule. The permit fee shall not be refunded.

103.3.6 Cancellation. Permits may be canceled when requested in writing by the permittee or the owner of the property where the permit work is being performed, subject to the approval of the director. If the project has commenced, the director may require a person prescribed in section 16.20B.103.1.3 of this code to submit a new permit application prior to cancellation of the original permit, to ensure continuation of the permit work and responsibility for the permit work.

103.3.7 Extension of Time. Any permittee with an unexpired permit may apply for an extension of time to obtain the director's approval of the initial inspection required by section 16.20B.103.5 of this code, for good cause. The director may extend the deadline for the initial inspection approval upon written request by the permittee showing that circumstances beyond the control

of the permittee have delayed the work. The director may extend the deadline only once, and for a period not to exceed one year.

16.20B.103.4 Section 103.4 amended. Section 103.4

of the Uniform Plumbing Code is amended to read as follows:

103.4 Fees.

[103.4.1 Permit Fees. Fees shall be assessed in accordance with the provisions of this section and as set forth in the fee schedule Table 1-1. The fees are to be determined and adopted by this jurisdiction.

103.4.2 Plan Review Fees. When a plan or other data is required to be submitted by Section 103.2.2, a plan review fee shall be paid at the time of submitting plans and specifications for review.

The plan review fees for plumbing work shall be determined and adopted by this jurisdiction.

The plan review fees specified in this subsection are separate fees from the permit fees specified in this section and are in addition to the permit fees.

When plans are incomplete or changed so as to require additional review, a fee shall be charged at the rate shown in Table 1-1.

103.4.3 Expiration of Plan Review. Applications for which no permit is issued within one hundred eighty (180) days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Authority Having Jurisdiction. The Authority Having Jurisdiction may exceed the time for action by the applicant for a period not to exceed one hundred eighty (180) days upon request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

103.4.4 Investigation Fees: Work Without a Permit.

103.4.4.1 Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

103.4.4.2 An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The

investigation fee shall be equal to the amount of the permit fee that would be required by this code if a permit were to be issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code, nor from any penalty prescribed by law.

103.4.5 Fee Refunds.

103.4.5.1 The Authority Having Jurisdiction may authorize the refunding of any fee paid hereunder that was erroneously paid or collected.

103.4.5.2 The Authority Having Jurisdiction may authorize the refunding of not more than a percentage, as determined by this jurisdiction when no work has been done under a permit issued in accordance with this code.

103.4.5.3 The Authority Having Jurisdiction shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than one hundred eighty (180) days after the date of fee payment.]

103.4.1 Permit Fees.

103.4.1.1 Schedule. A fee as set forth in the annual budget ordinance shall be paid to the County before issuance of any plumbing permit.

103.4.1.2 Exemption for County projects. No fee shall be charged for County projects or projects that are funded in whole or in part by the County, provided that the director of the department responsible for the release of the County funds shall certify that the project qualifies for this exemption.

103.4.1.3 A residential workforce housing unit, as defined in section 2.96.020, Maui County Code, shall be assessed fifty percent of the permit fee. Units in a residential development in which one hundred percent of the units qualify as residential workforce housing units, as defined in section 2.96.020, Maui County Code, shall be exempt from the permit fee.

103.4.2 Penalty Fees. When work for which a permit is required by this code has commenced without a permit, the fees specified in the annual budget ordinance shall be doubled, or increased by \$500, whichever is greater. The payment of such fees shall not relieve any person from the requirements of this code or from any penalties prescribed by this code or rules of the department.

103.4.3 Plumbing Work Concealed Without Inspection Approval. When plumbing work has been concealed in any installation without required inspection approval(s), the director shall collect a fee as set forth in the annual budget ordinance before accepting a certification and

hold harmless agreement for such concealed plumbing work, pursuant to section 16.20B.103.5.1.5 of this code.

103.4.4 Refund of Fees. If requested in writing by a permittee, the director may cancel the permit and refund fifty percent of the permit fee when no work has commenced and the permit has not expired under section 16.20B.103.3.4 of this code. The director shall not refund any fee if any work under the permit has been initiated, if the permit is expired, or if the permit has been revoked.

103.4.5 Nonliability of County for Damages. The director or any other county officer or employee charged with the enforcement of this code, acting in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable, personally or in their capacity as employees of the County, nor shall the County be liable as an entity for damages that may accrue to persons or property as a result of, or by reason of, any act or omission in the discharge of such duties. This code shall not be construed to relieve or lessen the responsibility of any person owning, operating, or performing any plumbing work or installation from liability for injury or damage to property by any defect in an installation or performance.

16.20B.103.5 Section 103.5 amended. Section 103.5 of the Uniform Plumbing Code is amended to read as follows:

103.5 Inspections.

103.5.1 General. All plumbing systems for which a permit is required by this code shall be inspected by the [Authority Having Jurisdiction.] director. No portion of any plumbing system shall be concealed until inspected and approved. Neither the [Authority Having Jurisdiction] director nor the jurisdiction shall be liable for expense entailed in the removal or replacement of material required to permit inspection. When the installation of a plumbing system is complete, an additional and final inspection shall be made. Plumbing systems regulated by this code shall not be connected to the water, the energy fuel supply, or the sewer system until authorized by the [Authority Having Jurisdiction.] director.

103.5.1.1 Inspection. No water supply system or portion thereof shall be covered or concealed until it first has been tested, inspected, and approved.

103.5.1.2 Scope. All new plumbing work and

such portions of existing systems as may be affected by new work, or any changes, shall be inspected by the [Authority Having Jurisdiction] director to ensure compliance with all the requirements of this code and to ensure that the installation and construction of the plumbing system is in accordance with approved plans.

103.5.1.3 Covering or Using. No plumbing or drainage system, building sewer, private sewer disposal system, or part thereof, shall be covered, concealed, or put into use until it has been tested, inspected, and accepted as prescribed in this code.

103.5.1.4 Uncovering. If any drainage or plumbing system, building sewer, private sewage disposal system, or part thereof, which is installed, altered, or repaired, is covered or concealed before being inspected, tested, and approved as prescribed in this code, it shall be uncovered for inspection after notice to uncover the work has been issued to the responsible person by the [Authority Having Jurisdiction.] director.

103.5.1.5 Work Concealed Without Inspections. When plumbing work has been concealed before inspection and the director has determined that it is impractical to re-expose such plumbing work, the property owner may, subject to the approval of the director, submit a certificate, from the responsible plumbing contractor or a mechanical engineer, certifying that all plumbing work done without inspection complies with this code, and submit a hold harmless agreement executed by the property owner, agreeing to defend, indemnify, and hold harmless the County from any claim for loss, liability, or damage arising from the issuance of the plumbing permit, and pay a fee as set forth in the annual budget ordinance. The certificate shall be in a form acceptable to the director, and the hold harmless agreement shall be in a form acceptable to the corporation counsel. The hold harmless agreement shall be recorded with the bureau of conveyances or the land court, State of Hawaii. The property owner or permittee shall pay for all recordation fees and other applicable fees. Upon receiving an acceptable certificate and copy of the fully executed and recorded hold harmless agreement, and payment of applicable fees and fines, if any, the director may approve the plumbing work, pursuant to subsection 103.5.6.3 of this section, indicating that the plumbing work has been exempted from inspections at the property owner's request.

[103.5.2 Operation of Plumbing Equipment. The

requirements of this section shall not be considered to prohibit the operation of any plumbing installed to replace existing equipment or fixtures serving an occupied portion of the building in the event a request for inspection of such equipment or fixture has been filed with the Authority Having Jurisdiction not more than seventy-two (72) hours after such replacement work is completed, and before any portion of such plumbing system is concealed by any permanent portion of the building.]

103.5.3 Testing of Systems. All plumbing systems shall be tested and approved as required by this code or the [Authority Having Jurisdiction.] director.

103.5.3.1 Test. Tests shall be conducted in the presence of the [Authority Having Jurisdiction or the Authority Having Jurisdiction's duly appointed representative.] director.

103.5.3.2 Test Waived. No test or inspection shall be required where a plumbing system, or part thereof, is set up for exhibition purposes and has no connection with a water or drainage system.

103.5.3.3 Exceptions. In cases where it would be impractical to provide the required water or air tests, or for minor installations and repairs, the [Authority Having Jurisdiction] director may make such inspection as deemed advisable in order to be assured that the work has been performed in accordance with the intent of this code.

103.5.3.4 Protectively Coated Pipe. Protectively coated pipe shall be inspected and tested, and any visible void, damage, or imperfection to the pipe coating shall be repaired to comply with Section 313.0 (see IAPMO IS-13, listed in Appendix I).

103.5.3.5 Tightness. Joints and connections in the plumbing system shall be gastight and watertight for the pressures required by test.

103.5.4 Inspection Requests. It shall be the duty of the person doing the work authorized by a permit to notify the [Authority Having Jurisdiction] director that such work is ready for inspection. The [Authority Having Jurisdiction] director may require that every request for inspection be filed at least [one working day] two working days before such inspection is desired. Such request may be in writing or by telephone, at the option of the [Authority Having Jurisdiction] director.

It shall be the duty of the person requesting inspections required by this code to provide access to, and means for, proper inspection of such work.

103.5.4.1 Advance Notice. It shall be the duty of the person doing the work authorized by the

permit to notify the [Authority Having Jurisdiction,] director, orally or in writing, that said work is ready for inspection. Such notification shall be given not less than [twenty-four (24) hours] two working days before the work is to be inspected.

103.5.4.2 Responsibility. It shall be the duty of the holder of a permit to make sure that the work will stand the test prescribed before giving the notification.

The equipment, material, and labor necessary for inspection or tests shall be furnished by the person to whom the permit is issued or by whom inspection is requested.

103.5.5 Other Inspections. (a) In addition to the inspections required by this code, the [Authority Having Jurisdiction] director may require other inspections of any plumbing work to ascertain compliance with [the provisions of] this code and other laws that are enforced by the [Authority Having Jurisdiction.] director.

(b) Miscellaneous inspections. For an inspection of plumbing work not specified in this code, the person requesting the inspection shall pay the County \$30 for each hour, or increment thereof, for inspection. All miscellaneous inspections shall be charged a minimum of two hours for an inspection.

(c) Unscheduled inspections outside normal business hours, or at distant locations. The permittee may request plumbing inspections outside normal business hours, or at distant locations, including Hana, Molokai, and Lanai, earlier than regularly scheduled, subject to the availability of inspectors and transportation, and approval of the director. The request shall be made at least two (2) working days prior to the requested inspection time. The permittee shall reimburse the County for any additional cost incurred by the County to perform the requested inspection. Such cost reimbursement may include, but not be limited to: employee overtime pay; air fare; travel per diem; meal allowance; automobile rental; employee fringe benefits; and administrative costs.

Exemptions:

(1) Exemption for adult residential care homes. When inspection of an adult residential care home is required pursuant to chapter 11-100.1, Hawaii Administrative Rules, as amended, no fee shall be charged for an inspection.

(2) Exemption for licensing of day care centers. When inspection of a day care center is required pursuant to chapter 17-1424, Hawaii Administrative Rules, as amended, no fee shall be

charged for an inspection.

[103.5.5.1 Defective Systems. An air test shall be used in testing the sanitary condition of the drainage or plumbing system of any building premises when there is reason to believe that it has become defective. In buildings or premises condemned by the proper Authority Having Jurisdiction because of an insanitary condition of the plumbing system or part thereof, the alterations in such system shall conform to the requirements of this code.]

103.5.5.2 Moved Structures. All parts of the plumbing systems of any building or part thereof that is moved from one foundation to another, or from one location to another, shall be completely tested as prescribed elsewhere in this section for new work, except that walls or floors need not be removed during such test when other equivalent means of inspection acceptable to the [Authority Having Jurisdiction] director are provided.

103.5.6 Reinspections. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when required corrections have not been made.

This provision is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for inspection or reinspection.

[Reinspection fees may be assessed when the approved plans are not readily available to the inspector, for failure to provide access on the date for which the inspection is requested, or for deviating from plans requiring the approval of the Authority Having Jurisdiction.

To obtain reinspection, the applicant shall file an application therefore in writing upon a form furnished for that purpose and pay the reinspection fee in accordance with Table 1-1.]

All deficient or defective plumbing work brought to the applicant's attention by the director shall be corrected prior to requesting a reinspection. In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid. When more than one inspection is required to re-check plumbing work that does not comply with this code, the permittee shall pay a fee as set forth in the annual budget ordinance for each inspection, prior to the inspection.

103.5.6.1 Corrections. Notices of correction or violation shall be written by the [Authority

Having Jurisdiction] director and may be posted at the site of the work or mailed or delivered to the permittee or his authorized representative.

Refusal, failure, or neglect to comply with any such notice or order within ten (10) days of receipt thereof, shall be considered a violation of this code and shall be subject to the penalties set forth elsewhere in this code for violations.

103.5.6.2 Retesting. If the [Authority Having Jurisdiction] director finds that the work will not pass the test, necessary corrections shall be made, and the work shall then be resubmitted for test or inspection.

103.5.6.3 [Approval.] Final Inspection Required. [Upon the satisfactory completion and final test of the plumbing system, a certificate of approval shall be issued by the Authority Having Jurisdiction to the permittee on demand.] The permittee shall obtain a final plumbing inspection approval.

16.20B.204.0 Section 204.0 amended. Section 204.0 of the Uniform Plumbing Code is amended by amending the definition of "building drain" to read as follows:

Building Drain - That part of the lowest piping of a drainage system that receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer beginning [two (2) feet (610 mm)] five (5) feet (1524 mm) outside the building wall.

16.20B.206.0 Section 206.0 amended. Section 206.0 of the Uniform Plumbing Code is amended by adding the following definitions to be appropriately inserted and to read as follows:

Department - The department of public works of the County of Maui.

Director - The director of the department of public works for the County of Maui or the director's duly authorized representative.

16.20B.207.0 Section 207.0 amended. Section 207.0 of the Uniform Plumbing Code is amended by adding the

following definition to be appropriately inserted and to read as follows:

Emergency Plumbing Work - The repair of a plumbing installation to restore proper functioning of the plumbing system after an unforeseen event, to protect against immediate health risks or property damage.

16.20B.210.0 Section 210.0 amended. Section 210.0 of the Uniform Plumbing Code is amended by adding the following definition to be appropriately inserted and to read as follows:

Health Officer - The director of the department of health, State of Hawaii, or the director's authorized representative.

16.20B.212.0 Section 212.0 amended. Section 212.0 of the Uniform Plumbing Code is amended by adding the following definition to be appropriately inserted and to read as follows:

Journey Worker Plumber - A person licensed as a journey worker plumber by the board of electricians and plumbers, State of Hawaii, in accordance with chapter 448E, Hawaii Revised Statutes, as amended.

16.20B.215.0 Section 215.0 amended. Section 215.0 of the Uniform Plumbing Code is amended by adding the following definitions to be appropriately inserted and to read as follows:

Master Plumber - A person licensed as a master plumber by the board of electricians and plumbers, State of Hawaii, in accordance with chapter 448E, Hawaii Revised Statutes, as amended.

Mechanical Engineer - A person licensed as a professional engineer qualified in the mechanical branch by the State of Hawaii, in accordance with chapter 464, Hawaii Revised Statutes, as amended.

16.20B.216.0 Section 216.0 amended. Section 216.0 of the Uniform Plumbing Code is amended by adding the following definition to be appropriately inserted and to read as follows:

Non-Sewered Area - Any property that is not required to be connected to a public wastewater system pursuant to sections 14.25A.070 or 14.25A.130, Maui County Code, or section 11-62-06(b), Hawaii Administrative Rules.

16.20B.218.0 Section 218.0 amended. Section 218.0 of the Uniform Plumbing Code is amended by adding the following definitions to be appropriately inserted and to read as follows:

Plumbing Contractor - A person licensed to perform plumbing work as a specialty contractor by the State of Hawaii in accordance with chapter 444, Hawaii Revised Statutes, as amended.

Plumbing Work - The installation, alteration, repair, replacement, or remodel of any plumbing system regulated by this code.

16.20B.221.0 Section 221.0 amended. Section 221.0 of the Uniform Plumbing Code is amended by adding the following definitions to be appropriately inserted and to read as follows:

Sewered Area - Any property that is required to be connected to a public wastewater system pursuant to sections 14.25A.070 or 14.25A.130, Maui County Code, or section 11-62-06(b), Hawaii Administrative Rules.

Single Stack System - A specially-designed plumbing system wherein a common stack serves as a drainage pipe as well as a vent pipe.

Special Events - Carnivals, fairs, food and beverage events, sporting events, and similar events where structures and installations are not intended for use for more than fourteen consecutive calendar days.

16.20B.225.0 Section 225.0 amended. Section 225.0

of the Uniform Plumbing Code is amended by adding the following definition to be appropriately inserted and to read as follows:

Water Utility - A person or entity who produces, conveys, transmits, delivers, or furnishes potable water, and who qualifies as a "public utility" under section 269-1, Hawaii Revised Statutes, as amended, and is subject to regulation by the Public Utilities Commission, State of Hawaii.

16.20B.301.3 Section 301.3 amended. Section 301.3 of the Uniform Plumbing Code is amended to read as follows:

301.3 Flood Hazard Resistance.

[301.3.1 General. Plumbing systems shall be located above the design flood elevation.

Exception: Plumbing systems are permitted to be located below the design flood elevation provided that the systems are designed and installed to prevent water from entering or accumulating within their components and the systems are constructed to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding to the design flood elevation.

301.3.2 Flood Hazard Areas Subject to High-Velocity Wave Action. Plumbing systems in buildings located in flood hazard areas subject to high-velocity wave action shall meet the requirements of Section 301.3.1, and the plumbing systems, pipes, and fixtures shall not be mounted on or penetrate through walls that are intended to breakaway under flood loads as required by the building code.] Plumbing work within flood hazard areas and developments adjacent to drainage facilities shall be subject to this code and chapter 19.62, Maui County Code, pertaining to flood hazard areas. The director may require a certification by an engineer or architect that the plumbing work complies with chapter 19.62, Maui County Code.

16.20B.314.8 Section 314.8 added. Section 314 of the Uniform Plumbing Code is amended by adding thereto a new section 314.8 to be designated and to read as

follows:

314.8 Seismic Supports. Where earthquake loads are applicable in accordance with chapter 16.26B, Maui County Code, plumbing piping supports shall be designed and installed for the seismic forces in accordance with chapter 16.26B, Maui County Code.

16.20B.412.0 Section 412.0 amended. Section 412.0

of the Uniform Plumbing Code is amended to read as follows:

412.0 Minimum Number of Required Fixtures.

[412.1 Fixture Count. Plumbing fixtures shall be provided for the type of building occupancy and in the minimum number shown in Table 4-1.

412.2 Access to Fixtures.

412.2.1 In multi-story buildings, accessibility to the required fixtures shall not exceed one (1) vertical story.

412.2.2 Fixtures accessible only to private offices shall not be counted to determine compliance with this section.

412.3 Separate Facilities. Separate toilet facilities shall be provided for each sex.

Exceptions:

- (1) Residential installations.
- (2) In occupancies serving ten (10) or fewer people, one (1) toilet facility, designed for use by no more than one (1) person at a time, shall be permitted for use by both sexes.
- (3) In business and mercantile occupancies with a total floor area of fifteen hundred (1500) square feet (139.5 m²) or less, one (1) toilet facility, designed for use by no more than one (1) person at a time, shall satisfy the requirements for serving customers and employees of both sexes.

412.4 Fixture Requirements for Special Occupancies.

412.4.1 Additional fixtures may be required when unusual environmental conditions or special activities are encountered.

412.4.2 In food preparation areas, fixture requirements may be dictated by health codes.

412.4.3 Types of occupancy not shown in Table 4-1 shall be considered individually by the Authority Having Jurisdiction.

412.5 Facilities in Mercantile and Business Occupancies Serving Customers.

412.5.1 Requirements for customers and employees shall be permitted to be met with a single set of restrooms accessible to both groups. The required number of fixtures shall be the greater of the required number for employees or the required number for customers.

412.5.2 Fixtures for customer use shall be permitted to be met by providing a centrally located facility accessible to several stores. The maximum distance from entry to any store to this facility shall not exceed five hundred (500) feet (152.4 m).

412.5.3 In stores with a floor area of one hundred fifty (150) square feet (13.9 m²) or less, the requirement to provide facilities for employees shall be permitted to be met by providing a centrally located facility accessible to several stores. The maximum distance from entry to any store to this facility shall not exceed three hundred (300) feet (91.4 m).

412.6 Food Service Establishments. Food service establishments with an occupant load of one hundred (100) or more shall be provided with separate facilities for employees and customers. Customer and employee facilities may be combined for occupant loads less than one hundred (100).

412.7 Toilet Facilities for Workers. Suitable toilet facilities shall be provided and maintained in a sanitary condition for the use of workers during construction.] Plumbing fixtures shall be provided for the type of building occupancy and in the minimum number required in chapter 29 of the 2006 International Building Code®.

16.20B.419.0 Table 4-1 deleted. Chapter 4 of the Uniform Plumbing Code is amended by deleting Table 4-1.

16.20B.715.1 Section 715.1 amended. Section 715.1 of the Uniform Plumbing Code is amended to read as follows:

715.1 The building sewer, beginning [two (2) feet (610 mm)] five (5) feet (1524 mm) from any building or structure, shall be of such materials as prescribed in this code.

16.20B.911.0 Section 911.0 added. Chapter 9 of the

Uniform Plumbing Code is amended by adding thereto a new section 911.0 to be designated and to read as follows:

911.0 Single Stack System. When approved by the director, a single-stack system based on engineering studies and tests may be used notwithstanding other provisions in this code. Plans and specifications of such systems shall be prepared and stamped by a mechanical engineer.

16.20B.1101.5 Section 1101.5 deleted. Chapter 11 of the Uniform Plumbing Code is amended by deleting section 1101.5 and all its subsections.

16.20B.1101.6 Section 1101.6 deleted. Chapter 11 of the Uniform Plumbing Code is amended by deleting Section 1101.6 and all its subsections.

16.20B.1101.7 Section 1101.7 deleted. Chapter 11 of the Uniform Plumbing Code is amended by deleting Section 1101.7 and all its subsections.

16.20B.1101.8 Section 1101.8 deleted. Chapter 11 of the Uniform Plumbing Code is amended by deleting Section 1101.8 and all its subsections.

16.20B.1101.9 Section 1101.9 deleted. Chapter 11 of the Uniform Plumbing Code is amended by deleting Section 1101.9 and all its subsections.

16.20B.1101.10 Section 1101.10 deleted. Chapter 11 of the Uniform Plumbing Code is amended by deleting Section 1101.10 and all its subsections.

16.20B.1101.11.1 Subsection 1101.11.1 amended. Section 1101.11 of the Uniform Plumbing Code is amended by amending subsection 1101.11.1 to read as follows:

1101.11.1 Primary Roof Drainage. Roof areas of a building shall be drained by roof drains or gutters. The location and sizing of drains and gutters shall be coordinated with the structural design and pitch of the roof. Unless otherwise required by the [Authority Having Jurisdiction,] director, roof drains, gutters, vertical conductors or leaders, and horizontal storm drains for primary drainage shall be sized based on a storm of sixty (60) minutes duration and 100-year return period. Refer to [Table D-1 (in Appendix D)] the latest rainfall data provided by the National Weather Service for 100-year, 60-minute storms at various locations. Rainwater roof drainage systems shall be properly sized and designed by a licensed professional engineer. See Section 103.2.2 for required plans and specifications.

16.20B.1101.13 Section 1101.13 deleted. Chapter 11 of the Uniform Plumbing Code is amended by deleting Section 1101.13 and all its subsections.

16.20B.1102.0 Section 1102.0 deleted. Chapter 11 of the Uniform Plumbing Code is amended by deleting Section 1102.0 and all its subsections.

16.20B.1103.0 Section 1103.0 deleted. Chapter 11 of the Uniform Plumbing Code is amended by deleting Section 1103.0 and all its subsections.

16.20B.1104.0 Section 1104.0 deleted. Chapter 11 of the Uniform Plumbing Code is amended by deleting Section 1104.0 and all its subsections.

16.20B.1105.1 Section 1105.1 amended. Chapter 11 of the Uniform Plumbing Code is amended to read as follows:
1105.1 Material.

1105.1.1 Roof drains shall be constructed of materials specified in Table 14-1.

1105.1.2 Roof drains shall be of cast-iron, copper or copper alloy, lead, or plastic.

[1105.2 Dome or Strainer for General Use. All roof drains

and overflow drains, except those draining to hanging gutters, shall be equipped with strainers extending not less than four (4) inches (102 mm) above the surface of the roof immediately adjacent to the drain. Strainers shall have a minimum inlet area above the roof level of not less than one and one-half (1-1/2) times the area of the conductor or leader to which the drain is connected.

1105.3. Strainers for Flat Decks. Roof drain strainers for use on sun decks, parking decks, and similar areas that are normally serviced and maintained may be of the flat surface type. Such roof drain strainers shall be level with the deck and shall have an available inlet area of no less than two (2) times the area of the conductor or leader to which the drain is connected.

1105.4 Roof Drain Flashings. Connection between the roof and roof drains that pass through the roof and into the interior of the building shall be made water-tight by the use of proper flashing material.

1105.4.1 Where lead flashing material is used, it shall be a minimum of four (4) pounds per square foot (19.5 kg/m²).

1105.4.2 Where copper flashing material is used, it shall be a minimum of twelve (12) ounces per square foot (3.7 kg/m²).]

16.20B.1106.0 - Section 1106.0 deleted. Chapter 11 of the Uniform Plumbing Code is amended by deleting Section 1106.0 and all its subsections.

16.20B.1107.0 - Section 1107.0 deleted. Chapter 11 of the Uniform Plumbing Code is amended by deleting Section 1107.0 and all its subsections.

16.20B.1108.0 - Section 1108.0 deleted. Chapter 11 of the Uniform Plumbing Code is amended by deleting Section 1108.0 and all its subsections.

16.20B.1109.2.2 - Subsection 1109.2.2 amended. Section 1109.2.2 of the Uniform Plumbing Code is amended to read as follows:

1109.2.2 Air Test . The air test shall be made by attaching an air compressor testing apparatus to any

suitable opening after closing all other inlets and outlets to the system, forcing air into the system until there is a uniform gauge pressure of five (5) psi (34.5 kPa) or sufficient pressure to balance a column of mercury ten (10) inches (254mm) in height. This pressure shall be held without introduction of additional air for a period of at least fifteen (15) minutes. [Schedule 40 plastic DWV systems shall not be tested by the air test method.] All plugs shall be installed such that blowouts are prevented. All pressurizing equipment used for testing shall include a pressure regulating device set no higher than 6 psi to avoid over-pressurizing, a pressure relief valve, a shut-off valve, and a continuous monitoring gauge.

16.20B.1110.0 - Table 11-1 deleted. Chapter 11 of the Uniform Plumbing Code is amended by deleting Table 11-1.

16.20B.1110.1 - Table 11-2 deleted. Chapter 11 of the Uniform Plumbing Code is amended by deleting Table 11-2.

16.20B.1110.2 - Table 11-3 deleted. Chapter 11 of the Uniform Plumbing Code is amended by deleting Table 11-3.

16.20B.1211.1.6 - Subsection 1211.1.6 amended. Subsection 1211.1.6 of the Uniform Plumbing Code is amended to read as follows:

1211.1.6 Piping Underground Beneath Buildings. [Where the installation of gas piping underground beneath buildings is unavoidable, the piping shall be encased in an approved conduit designed to withstand the superimposed loads. The conduit shall extend into a normally usable and accessible portion of the building and, at the point where the conduit terminates in the building, the space between the conduit and the gas piping shall be sealed to prevent the possible entrance of any gas leakage. Where the end sealing is of a type that will retain the full pressure of the pipe, the conduit shall be designed for the same pressure as the

pipe. The conduit shall extend at least 4 inches (100 mm) outside the building, be vented above grade to the outside, and be installed so as to prevent the entrance of water and insects (NFPA 54:6.1.6)] When necessary due to structural conditions, approved type gas piping may be installed in other locations, when permission has first been obtained from the director. The acceptable methods of installing low pressure gas piping under a building are as follows:

(1) Approved protective coating as defined in Sections 1209.5.6 and 1211.1.3 of this code, shall not be embedded or encased within the concrete floor of the building. It shall be installed below the concrete floor with a minimum of at least twelve (12) inches (0.3 m) of earth cover or other equivalent protection.

(2) It shall be encased in an independent concrete jacket with a minimum wall thickness of one and one-half (1-1/2) of an inch (38.1 mm). The protective coating shall extend at least one (1) inch (25.34 mm) above the point of entry into the slab and above the point of exit from the slab for the appliance riser. The piping shall not be in physical contact with other metallic objects such as reinforcing rods or electrical neutral conductors.

A caution tape with the words "Caution Gas Line Buried Below", shall also be installed, approximately six inches (152.4 mm) above the buried gas line.

16.20B.1301.0 Chapter 13 deleted. Chapter 13 of the Uniform Plumbing Code, pertaining to health care facilities and medical gas and vacuum systems, commencing on page 201 and ending on page 222 of the 2006 Uniform Plumbing Code, is hereby deleted.

16.20B.1603.0 Section 1603.0 amended. Chapter 16 of the Uniform Plumbing Code is amended by amending section 1603.0 to read as follows:

1603.0 Permit. It shall be unlawful for any person to construct, install, or alter, or cause to be constructed, installed, or altered any gray water system in a building or on a premises without first obtaining a permit to do such work from the [Authority Having Jurisdiction.] director. The director shall not process a permit application for a gray water disposal system in a non-

sewered area until the plans for such system are first approved by the state department of health.

16.20B.1604.0(A) Subsection 1604.0(A) amended.

Section 1604.0 of the Uniform Plumbing Code is amended by amending subsection 1604.0(A) to read as follows:

- (A) Plot plan drawn to scale and completely dimensioned, showing lot lines and structures, direction and approximate slope of surface, location of all present or proposed retaining walls, drainage channels, water supply lines, wells, paved areas and structures on the plot, number of bedrooms and plumbing fixtures in each structure, location of private sewage disposal system [and 100 percent expansion area] or building sewer connecting to the public sewer, and location of the proposed gray water system.

16.20B.1607.0 Section 1607.0 amended. Section

1607.0 of the Uniform Plumbing Code is amended to read as follows:

1607.0 Required Area of Subsurface Irrigation/Disposal Fields (See Figure 16-5.) [Each] The director may require that each valved zone [shall] have a minimum effective irrigation area in square feet as determined by Table 16-2 for the type of soil found in the excavation, based upon a calculation of estimated gray water discharge pursuant to Section 1606.0 of this chapter, or the size of the holding tank, whichever is larger. The area of the irrigation/disposal field shall be equal to the aggregate length of the perforated pipe sections within the valved zone multiplied the width of the proposed irrigation/disposal field. Each proposed gray water system shall include at least three (3) valved zones, and each zone shall be in compliance with the provisions of the section. No excavation for an irrigation/disposal field shall extend within [five (5)] three (3) vertical feet of the highest known seasonal groundwater, nor to a depth where gray water may contaminate the groundwater or ocean water. The applicant shall supply evidence of groundwater depth to the satisfaction of the [Authority Having Jurisdiction.] director.

16.20B.1608.0 Section 1608.0 amended. Section

1608.0 of the Uniform Plumbing Code is amended to read as follows:

1608.0 Determination of Maximum Absorption Capacity.

- (A) Wherever practicable, irrigation/disposal field size shall be computed from Table 16-2[,] and Table 16-3, or Water Demand based on Evapotranspiration (ET) data.
- (B) In order to determine the absorption quantities of questionable soils other than those listed in Table 16-2[,] and Table 16-3, the proposed site may be subjected to percolation tests acceptable to the [Authority Having Jurisdiction.] director.
- (C) When a percolation test is required, no gray water system shall be permitted if the test shows the absorption capacity of the soil is less than eighty-three hundredths (0.83) gallons per square foot (33.8 L/m²) or more than five and twelve hundredths (5.12) gallons per square foot (208.5 L/m²) of leaching area per twenty-four (24) hours[.], or if the director determines that the absorption capacity of the soil is unacceptable.
- (D) The following formula may be used to estimate the square footage of landscape to be irrigated based on ET data:
LA = GW ÷ (ETx PF x 0.62)
GW = estimated gray water produced (gallons per week)
LA = landscaped area (ft²)
ET = evapotranspiration (inches per week)
PF = plant factor, based on climate and type of plants
0.62 = conversion factor (from inches of ET to gallons per week)

16.20B.1611.0 Section 1611.0 amended. Section

1611.0 of the Uniform Plumbing Code is amended to read as follows:

1611.0 Irrigation/Disposal Field Construction. (See Figure 16-5.) The director may permit subsurface drip irrigation, mini-leach field, or other equivalent irrigation methods that discharge gray water in a manner that ensures that the gray water does not surface.

- (A) Standards for a subsurface drip irrigation system:
 - (1) Minimum 140 mesh (115 micron) filter with a capacity of twenty-five gallons per minute, or equivalent, shall be used. The filter back-

wash and flush discharge shall be caught, contained, and disposed of to the sewer system, septic tank, or, with approval of the director, a separate mini-leach field sized to accept all the backwash and flush discharge water. Filter backwash water and flush water shall not be used for any purpose. Sanitary procedures shall be followed when handling filter backwash and flush discharge of gray water.

- (2) Emitters shall have a minimum flow path of 1200 microns and shall have a coefficient of manufacturing variation (Cv) of no more than seven percent. Irrigation systems shall be designed to prevent such instances where greater variation could result in flows high enough to produce per emitter ponding in the soil in question. Emitters shall be recommended by the manufacturer for subsurface use and gray water use, and shall have demonstrated resistance to root intrusion.
- (3) Each irrigation zone shall be designed to include no less than the number of emitters specified in Table 16-3, or by a procedure designated by the director. Minimum spacing between emitters shall be fourteen inches in any direction.
- (4) The system design shall provide user controls, such as valves, switches, timers, and other controllers as appropriate, to rotate the distribution of gray water between irrigation zones.
- (5) All drip irrigation supply lines shall be polyethylene tubing or PVC class 200 pipe or better, with schedule 40 fittings. All joints shall be properly solvent-cemented, inspected and pressure tested at 40 pounds per square inch (psi), and shown to be drip tight for five minutes, before burial. All supply lines shall be buried at least eight inches deep. Drip feeder lines may be polyethylene or flexible PVC tubing and shall be covered to a minimum depth of nine inches.
- (6) Where pressure at the discharge side of the pump exceeds 20 pounds per square inch (psi), a pressure reducing valve able to limit downstream pressure to no greater than 20 psi shall be installed downstream from the pump and before any emission device.
- (7) Each irrigation zone shall include a flush valve/anti-siphon valve to prevent back siphonage of water and soil.

(B) Standards for a mini-leach field system:

[(A)] (1) Perforated sections shall be a minimum three (3) inch (80 mm) diameter and shall be constructed of perforated high-density polyethylene pipe, perforated ABS pipe, perforated PVC pipe, or other approved materials, provided that sufficient openings are available for distribution of the gray water into the trench area. Material, construction, and perforation of the pipe shall be in compliance with the appropriate absorption fields drainage piping standards and shall be approved by the [Authority Having Jurisdiction.] director.

[(B)] (2) Filter material, clean stone, gravel, slag, or similar filter material acceptable to the [Authority Having Jurisdiction,] director, varying in size from three-quarter (3/4) inch (20 mm) to two and one-half (2-1/2) inch (65 mm) shall be placed in the trench to the depth and grade required by this section. The perforated section shall be laid on the filter material in an approved manner. The perforated section shall then be covered with filter material to the minimum depth required by this section. The filter material shall then be covered with untreated building paper, straw, or similar porous material to prevent closure of voids with earth backfill. No earth backfill shall be placed over the filter material cover until after inspection and acceptance.

(C) Irrigation/disposal fields shall be constructed as follows:

	Minimum	Maximum
Number of drain lines per valved zone	1	--
Length of each perforated line	--	100 ft. (30,840 mm)
Bottom width of trench	12 in. (305 mm)	18 in. (457 mm)
Spacing of lines, center to center	4 ft. (1219 mm)	--
Depth of earth cover of lines	10 in. (254 mm)	--
Depth of filter material cover of lines	2 in. (51 mm)	--

Depth of filter material beneath lines	3 in. (76 mm)	--
Grade of perforated lines	level 3 in./100 ft.	2 mm/m

- (D) When necessary on sloping ground to prevent excessive line slopes, irrigation/disposal lines shall be stepped. The lines between each horizontal leaching section shall be made with approved watertight joints and installed on natural or unfilled ground.

16.20B.1612.0(A) Subsection 1612.0(A) amended.

Section 1612.0 of the Uniform Plumbing Code is amended by amending subsection 1612.0(A) to read as follows:

- (A) Other collection and distribution systems, such as laundry-only gray water systems, may be approved by the [local Authority Having Jurisdiction, as allowed by Section 301.0 of this code.] director.

16.20B.1612.5 Table 16-1 amended. Chapter 16 of the Uniform Plumbing Code is amended by amending Table 16-1 to read as follows:

TABLE 16-1
Location of Gray Water System

Minimum Horizontal Distance in Clear Required From:	Holding Tank		Irrigation/Disposal Field	
	Feet	(mm)	Feet	(mm)
Building structures ¹	5 ²	(1,524 mm)	[2 ³] 5 ³	[(610 mm)] (1,524 mm)
Property line adjoining private property	5	(1,524 mm)	5	[(1,524 mm)]
Water supply wells ⁴	50	(15,240 mm)	[100] 1,000	[(30,480 mm)] (304,800 mm)
Streams and lakes ⁴	50	(15,240 mm)	50 ⁵	(15,240 mm)
Sewage pits or cesspools	5	(1,524 mm)	5	(1,524 mm)
Disposal field [and 100% expansion area]	5	(1,524 mm)	[4 ⁶] 5 ⁶	[(1,219 mm)] (1,524 mm)
Septic tank	0	(0)	5	(1,524 mm)
On-site domestic water service line	5	(1,524 mm)	5	(1,524 mm)
Pressurized public water main	10	(3,048 mm)	10 ⁷	(3,048 mm)

Note: When irrigation/disposal fields are installed in sloping ground, the minimum horizontal distance between any part of the distribution system and the ground surface shall be fifteen (15) feet (4,572 mm).

¹ Including porches and steps, whether covered or uncovered, breezeways, roofed porte cocheres, roofed patios, carports, covered walks, covered driveways, and similar structures or appurtenances.

² The distance may be reduced to zero feet for aboveground tanks when [first approved by the Authority Having Jurisdiction.] required by the director.

³ Assumes a 45-degree (0.79 rad) angle from foundation.

⁴ Where special hazards are involved, the distance required shall be increased as may be [directed] required by the [Authority Having Jurisdiction.] director.

⁵ These minimum clear horizontal distances shall also apply between the irrigation/disposal field and the ocean mean higher high tide line.

⁶ Plus two (2) feet (610 mm) for each additional foot of depth in excess of one (1) foot (305 mm) below the bottom of the drain line[.] when required by the director.

⁷ For parallel construction / for crossings, director approval [by the Authority Having Jurisdiction] shall be required.

16.20B.1612.7 Table 16-3 added. Chapter 16 of the Uniform Plumbing Code is amended by adding thereto a new Table 16-3 to be designated and to read as follows:

<p align="center"><u>TABLE 16-3</u></p> <p align="center"><u>Subsurface Drip Design Criteria for Six Typical Soils</u></p>		
<u>Type of Soil</u>	<u>Maximum Emitter Discharge</u> <u>(gpd)</u>	<u>Minimum Number of Emitters</u> <u>per gpd of Gray Water</u> <u>Production</u>
<u>Sand</u>	<u>1.8</u>	<u>0.6</u>
<u>Sandy loam</u>	<u>1.4</u>	<u>0.7</u>
<u>Loam</u>	<u>1.2</u>	<u>0.9</u>
<u>Clay loam</u>	<u>0.9</u>	<u>1.1</u>
<u>Silty clay</u>	<u>0.6</u>	<u>1.6</u>
<u>Clay</u>	<u>0.5</u>	<u>2.0</u>

16.20B.1614.0 Section 1614.0 amended. Section 1614.0 of the Uniform Plumbing Code is amended to read as follows:

1614.0 Definitions.

Reclaimed water is [water that, as a result of tertiary treatment of domestic wastewater by a public agency, is suitable for a direct beneficial use or a controlled use that would not otherwise occur.] domestic wastewater that has undergone tertiary treatment, so that it has been adequately oxidized, then filtered, and then exposed, after the filtration process, to:

- A. A disinfection process that, when combined with the filtration process, has been demonstrated to inactivate or remove 99.999 percent of the plaque-forming units of F-specific bacteriophage MS2, or polio virus in the wastewater. A virus that is at least resistant to disinfection as polio virus may be used for purposes of demonstration; and

B. A disinfection process that limits the concentration of fecal coliform bacteria in the disinfected wastewater, such that:

- (1) The median number of total coliform bacteria does not exceed 2.2 per 100 milliliters, utilizing the bacteriological results of the last seven days for which analyses have been completed; and
- (2) The number of total coliform bacteria does not exceed 23 per 100 milliliters in more than one sample in any 30-day period; and
- (3) The number of total coliform bacteria does not exceed 200 per 100 milliliters in any sample.

The level of treatment and quality of the reclaimed water shall be approved by the [public health Authority Having Jurisdiction.] state department of health.

[For the purpose of this chapter, tertiary treatment shall result in water that is adequately oxidized, clarified, coagulated, filtered, and disinfected so that at some location in the treatment process, the seven (7) day median number of total coliform bacteria in daily samples does not exceed two and two-tenths (2.2) per one hundred (100) milliliters, and the number of total coliform bacteria does not exceed twenty-three (23) per one hundred (100) milliliters in any sample. The water shall be filtered so that the daily average turbidity does not exceed two (2) turbidity units upstream from the disinfection process.]

Specifically excluded from this definition is gray water, which is defined in Part I of this chapter.

For the purposes of this chapter, the words "reclaimed" and "recycled" may be used interchangeably.

16.20B.1701 Rules. The director may adopt administrative rules for the implementation, administration, and enforcement of this chapter.

16.20B.1702 Appeals. Any person aggrieved by a decision of the director may appeal to the board of variances and appeals pursuant to section 19.530.030(C), Maui County Code."

16.20B.1703 - Appendix A deleted. Appendix A of the 2006 Uniform Plumbing Code, pertaining to recommended rules for sizing the water supply system, commencing on page 279 and ending on page 294 of the 2006 Uniform Plumbing Code, is deleted.

16.20B.1704 - Appendix B deleted. Appendix B of the 2006 Uniform Plumbing Code, pertaining to explanatory

notes on combination waste and vent systems, commencing on page 295 and ending on page 296 of the 2006 Uniform Plumbing Code, is deleted.

16.20B.1705 - Appendix D deleted. Appendix D of the 2006 Uniform Plumbing Code, pertaining to sizing storm water drainage systems, commencing on page 297 and ending on page 304 of the 2006 Uniform Plumbing Code, is deleted.

16.20B.1706 - Appendix E deleted. Appendix E of the 2006 Uniform Plumbing Code, pertaining to manufactured/mobile home parks and recreational vehicle parks, commencing on page 305 and ending on page 316 of the 2006 Uniform Plumbing Code, is deleted.

16.20B.1707 - Appendix F deleted. Appendix F of the 2006 Uniform Plumbing Code, pertaining to firefighter breathing air replenishment systems, commencing on page 317 and ending on page 320 of the 2006 Uniform Plumbing Code, is deleted.

16.20B.1708 - Appendix I deleted. Appendix I of the 2006 Uniform Plumbing Code, pertaining to installation standards, commencing on page 321 and ending on page 420 of the 2006 Uniform Plumbing Code, are not adopted as part of the code but included as reference for the users of the 2006 Uniform Plumbing Code.

16.20B.1709 - Appendix K deleted. Appendix K of the 2006 Uniform Plumbing Code, pertaining to private sewage disposal systems, commencing on page 421 and ending on page 432 of the 2006 Uniform Plumbing Code, is deleted.

16.20B.1710 - Appendix L deleted. Appendix L of the 2006 Uniform Plumbing Code, pertaining to alternate plumbing systems, commencing on page 433 and ending on page 440 of the 2006 Uniform Plumbing Code, is deleted.

SECTION 4. If any provision of this ordinance shall for any reason be held invalid or unconstitutional by a court of competent jurisdiction, such judgment shall not affect the validity of the remaining portions.

SECTION 5. Any complete application for a plumbing permit submitted prior to the effective date of this

ordinance may be approved if the application meets the requirements of Chapter 16.20A, Maui County Code. All applications submitted on or after the effective date of this ordinance shall comply with the requirements of this code.

SECTION 6. Work performed under a plumbing permit application received by the director prior to the effective date of this ordinance and which is inspected on or after the effective date of this ordinance shall be approved if it meets the requirements of either this code or Chapter 16.20A, Maui County Code.

SECTION 7. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 8. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM
AND LEGALITY:



MICHAEL J. HOPPER
Deputy Corporation Counsel
County of Maui

S:\ALL\MJH\ORDS\Plumbing Code\16.20BPlumbingCode2009.final.rev 1-10-12.wpd

WE HEREBY CERTIFY that the foregoing BILL NO. 20 (2012)

1. Passed FINAL READING at the meeting of the Council of the County of Maui, State of Hawaii, held on the 2nd day of March, 2012, by the following vote:

Dennis A. MATEO Chair	Joseph PONTANILLA Vice-Chair	Gladys C. BAISA	Robert CARROLL	Eleanora COCHRAN	Donald G. COUCH, JR.	G. Riki HOKAMA	Michael P. VICTORINO	Michael B. WHITE
Aye	Aye	Aye	Aye	Aye	Excused	Excused	Aye	Aye

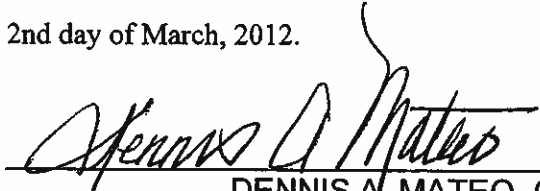
2. Was transmitted to the Mayor of the County of Maui, State of Hawaii, on the 2nd day of March, 2012.

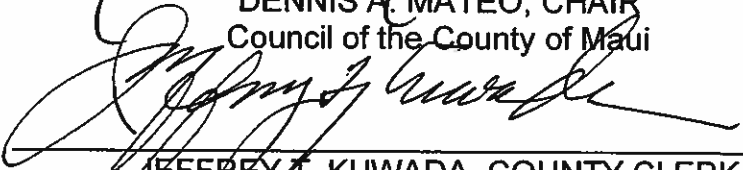
DATED AT WAILUKU, MAUI, HAWAII, this 2nd day of March, 2012.

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OFFICE OF THE MAYOR

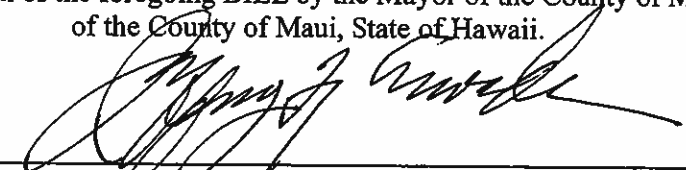

DENNIS A. MATEO, CHAIR
Council of the County of Maui


JEFFREY T. KUWADA, COUNTY CLERK
County of Maui

THE FOREGOING BILL IS HEREBY APPROVED THIS 5 DAY OF March, 2012.


ALAN M. ARAKAWA, MAYOR
County of Maui

I HEREBY CERTIFY that upon approval of the foregoing BILL by the Mayor of the County of Maui, the said BILL was designated as ORDINANCE NO. 3923 of the County of Maui, State of Hawaii.


JEFFREY T. KUWADA, COUNTY CLERK
County of Maui

Passed First Reading on February 17, 2012.
Effective date of Ordinance March 5, 2012

RECEIVED

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OFFICE OF THE
COUNTY CLERK

I HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 3923, the original of which is on file in the Office of the County Clerk, County of Maui, State of Hawaii.

Dated at Wailuku, Hawaii, on

County Clerk, County of Maui